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July 26, 2007

**MEMO ENDORSED**

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**VIA FACSIMILE**  
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Hon. Frank Maas  
United States Magistrate Judge  
United States District Court  
500 Pearl Street  
New York, NY 10007

The conference is  
adjourned to 8/24/07  
at 10 AM.

F. Maas, USM/J,  
7/26/07

**Re: Santiago v. Village of Ossining Police Dep't  
Civil Action No. 06-cv-5422 (KMW)(FM)**

Dear Magistrate Judge Maas:

This firm represents the Village of Ossining Police Department, Defendant in this matter. We write, jointly on behalf of all parties, to request a brief adjournment of the Settlement Conference in this matter currently scheduled for July 31, 2007 at 2:00 p.m., to August 16, 2007 or later. I have communicated with Paul Cisternino, Esq., counsel for plaintiff, and Plaintiff consents to this adjournment. The parties are available to reschedule the settlement conference to August 16 or 17, 2007, and have flexibility the following week with the exception of Wednesday, August 22, 2007. This is the first adjournment of the settlement conference requested.

Defendant requests an adjournment of the Settlement Conference because it cannot produce a representative with authority to settle the case on July 31, 2007, as required by the Court's individual rules. Settlement of this matter must be approved by the Village Board of Trustees of the Village of Ossining, and they have not had an opportunity to meet with the Chief of Police and vote concerning Plaintiff's most recent settlement proposal, communicated via voicemail message on July 13, 2007. Moreover, the Chief of Police, who would be the individual attending the Settlement on behalf of Defendant, will be out of town and unavailable the weeks of July 30 and August 6, 2007. The Chief would have no authority without the approval of the Village Board. Accordingly, the parties will be unable to reach a settlement at the conference, and feel that a brief adjournment will lead to a more productive conference.

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Alternatively, if the Court wishes to proceed without a client representative of Defendant present, and with any recommendation for settlement being subject to the consideration and approval of the Village Board, Defendant is willing to do so.

The parties thank the Court for its courtesy, patience and consideration with respect to this request.

Respectfully submitted,

  
Stephen A. Fuchs

cc: Paul Cisternino, Esq. (via facsimile and email)